

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RALPH ALLEN DICKERSON,) 3:08-cv-00188-HDM (VPC)
)
Petitioner,)
) ORDER
vs.)
)
FEDERAL BUREAU OF INVESTIGATION,)
Sacramento, California Division)
and San Francisco, California)
Division.)
)
Respondent.)
_____)

Petitioner Ralph Allen Dickerson has filed with the court what appears to be an application for a writ of mandamus requesting the court to compel the Federal Bureau of Investigations to pursue an investigation into certain allegations made by the petitioner. (Docket 1). Under 28 U.S.C. § 1361, district courts have original jurisdiction over any mandamus action to compel an agency of the United States to perform a duty owed to a complainant. However, mandamus actions are subject to the venue requirements of 28 U.S.C. § 1391(e), which states in relevant part:

A civil action in which a defendant is . . . an agency of the United States . . . may, except as otherwise provided by law, be brought in any judicial district in which (1) a defendant in the action resides, (2) a substantial part of the events or omissions giving rise to the claim occurred, or a substantial

1 part of property that is the subject of the action is
2 situated, or (3) the plaintiff resides if no real property is
involved in the action.

3 It appears that none of the venue requirements of 28 U.S.C. §
4 1391(e) are met by the allegations and facts presented in
5 plaintiff's filings with the court. First, the defendants named
6 are divisions of the Federal Bureau of Investigations located in
7 California, not Nevada. Second, none of the events or omissions
8 mentioned by plaintiff in his filings take place in the district of
9 Nevada. The court notes plaintiff's lone reference to the Federal
10 Public Defender's office in Reno in his application for a writ
11 (docket 1), but concludes this does not amount to a "substantial
12 part" of the events giving rise to the claim, which the statute
13 requires. Third, it appears from plaintiff's filings that he is a
14 resident of California.

15 For these reasons, the court dismisses this action for lack of
16 venue without prejudice to be filed in the appropriate judicial
17 district.

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19 **IT IS SO ORDERED.**

20 DATED: This 23rd day of June, 2008.

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23 UNITED STATES DISTRICT JUDGE